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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

1. In my report to the Security Council dated 16 June 1994 (S/1994/716), I informed the members of the Council about the situation in Tajikistan and the efforts of Mr. R. Piriz-Ballon, my Special Envoy for Tajikistan, and Mr. Marrack Goulding, Under-Secretary-General for Political Affairs, to establish the necessary conditions for the second round of inter-Tajik talks on national reconciliation, under United Nations auspices. The present report contains an account of subsequent developments.

I. TEHRAN ROUND OF INTER-TAJIK TALKS

2. The second round of inter-Tajik talks duly took place at Tehran from 18 to 28 June 1994 with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Pakistan, the Russian Federation and the Conference on Security and Cooperation in Europe (CSCE). Uzbekistan, which participated as an observer in the first round of talks, held in Moscow in April 1994, did not send its representative to Tehran.

3. The delegation of the Tajik Government was led by Mr. S. Zukhurov, Minister of Labour and Employment. Mr. O. Latifi, Chairman of the Coordinating Committee of the Democratic Forces of Tajikistan in the Commonwealth of Independent States (CIS), was acting head of the delegation of the opposition. Both delegations had proper credentials from the Council of Ministers of Tajikistan and the leadership of the Tajik opposition respectively, and both had plenipotentiary powers.

4. In conformity with the agenda for the inter-Tajik negotiations, adopted during the first round in Moscow (see S/1994/542), and the agreement reached during consultations carried out by the Under-Secretary-General for Political Affairs with the leadership of the Government of Tajikistan at Dushanbe and by my Special Envoy with the leaders of the Tajik opposition at Tehran, in May of this year, the second round focused on one main objective: agreement on a cease-fire and the cessation of other hostile acts.

5. During 10 days of intensive negotiations, the two parties were able to work out a concept for a cease-fire and the cessation of other hostile acts. They also agreed on the need to create a mechanism to monitor the implementation of

the agreement on a cease-fire and the cessation of other hostile acts. The issue was discussed at length and, based on the views expressed, my Special Envoy submitted to the two sides a draft protocol on the monitoring mechanism. At the insistence of the opposition delegation, the two sides agreed on the temporary nature of the agreement on a cease-fire, although the delegation of the Government strongly advocated the idea of establishing a permanent cease-fire. However, the issue of when the agreement on a cease-fire should come into effect turned out to be the most difficult and controversial problem.

6. The delegation of the Tajik Government insisted that the agreement should come into effect immediately after its signature, and stated the Government's commitment to fulfil, during a three-month period, certain conditions stipulated by the opposition delegation. Those conditions included the release of persons detained, arrested and sentenced in connection with the political confrontation and the civil war (a list of 29 persons was provided by the opposition delegation); dismissal of criminal cases against some opposition personalities; and lifting the ban on the activities of opposition parties, movements and media.

7. Consideration was given first to the establishment of a cessation of hostilities up to 1 October 1994. Following the rejection of this proposal by the opposition, my Special Envoy suggested that an agreement be reached on a cessation of hostilities until the third round of inter-Tajik talks (which would mean for approximately one month) provided that the Government gave its commitment to accept the above-mentioned conditions. However, this proposal, as well as many other options to reach a cessation of hostilities immediately after signature of the agreement, were rejected by the opposition delegation.

8. The Government delegation, for its part, rejected an opposition proposal for the entry into force of the agreement simultaneously with implementation by the Government of the conditions presented by the opposition. The Government maintained this position even when the opposition agreed not to insist on the third condition (lifting of the ban on political parties, movements and mass media). These disagreements between the two delegations prevented them from signing the agreement on cessation of hostilities.

9. Despite the fact that the two sides were unable to reach an agreement, they agreed on a joint communiqué (see annex) in which they once more reaffirmed their commitment to political dialogue as the only means of achieving national reconciliation. In this regard, and based on the previously agreed principle of rotation of venue for the negotiations, the parties agreed to hold the next round of talks at Islamabad, and requested my Special Envoy to hold consultations to determine the date for it.

10. The representatives of the observer countries and of CSCE played an active role during this second round, encouraging the two sides to adopt more flexible and conciliatory positions.

II. SUBSEQUENT DEVELOPMENTS AND OBSERVATIONS

11. As I have reported to the Security Council in this and previous reports, much ground has been covered in the process for national reconciliation in Tajikistan. Through their participation in the first round of negotiations, in Moscow, the Government and the opposition forces, true to the profound wishes of the Tajik people and acting under the advice of friendly countries, endorsed the principle that a political dialogue was the only means of achieving a solution to the political conflict in Tajikistan. Notwithstanding its inconclusive results, the second round of negotiations at Tehran marked a step forward in the difficult process of the restoration of peace and normalcy in Tajikistan. It helped create a common understanding of the concept of, and conditions for, a cessation of hostilities and of the need for a number of important confidence-building measures.

12. However, I have noted, with regret, that subsequent political developments and in particular the results of the nineteenth session of the Supreme Soviet of Tajikistan, held at Dushanbe on 20 and 21 July, revealed that the Government still lacked the political will either to implement, or seriously to contemplate implementation of, the necessary confidence-building measures. It was expected that such steps as the release of 29 political prisoners and the dismissal of criminal cases against some opposition personalities would have been discussed during the session of the Supreme Soviet. This, regrettably, was not the case and the issue of the inter-Tajik talks was not even raised on this important occasion. Instead, the Supreme Soviet endorsed a political plan providing for a referendum on a new constitution in September 1994 and simultaneous elections for the post of President. The implementation of this plan, which does not provide for the participation of the opposition and ignores the agreed agenda of the inter-Tajik talks, threatens to jeopardize the negotiations which have been taking place under the auspices of the United Nations.

13. These actions, added to the fact that the Government's delegation at the inter-Tajik talks did not include representatives of all important components of the current ruling factions, cast serious doubts as to the preparedness of the Government to fulfil its stated commitment to the inter-Tajik negotiations.

14. For its part, the opposition has continued its armed struggle through border infiltrations and acts of terrorism and sabotage inside the country. It has justified this course of action by citing the continuing lack of "seriousness and sincerity" on the Government side in the inter-Tajik negotiations.

15. This situation has led me to reconsider the wisdom, at this stage, of continuing preparations for the third round of negotiations at Islamabad. I have, therefore, decided to suspend the activities of my Special Envoy in that regard until the parties take new and substantive steps that will give unequivocal proof of their sincerity and their commitment to pursue the negotiations in the context of the agenda agreed to in Moscow and in line with the course of action outlined at Tehran.

16. In the meantime, given the danger of a renewed escalation of the conflict and its potential international repercussions, I shall continue my efforts

within the framework of preventive diplomacy. In keeping with that policy, my Special Envoy will maintain the necessary contacts with the parties and the Governments whose active cooperation has been instrumental in securing the progress so far achieved. Likewise, the small group of United Nations officials in Tajikistan will continue to implement its mandate and take concerted action with CSCE, the Office of the United Nations High Commissioner for Refugees and other international organizations and agencies in Tajikistan.

Annex

[Original: Russian]

JOINT COMMUNIQUE ON THE RESULTS OF THE SECOND ROUND OF INTER-TAJIK TALKS ON NATIONAL RECONCILIATION

28 JUNE 1994

The second round of inter-Tajik talks on national reconciliation, under United Nations auspices, took place in Tehran from 18 to 28 June 1994 with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Pakistan, the Russian Federation and the Conference on Security and Cooperation in Europe (CSCE). The delegation of the Government of the Republic of Tajikistan was led by Mr. S. Zukhurov, Minister of Labour and Employment. Mr. O. Latifi, Chairman of the Coordinating Committee of the Democratic Forces of Tajikistan in the Commonwealth of Independent States (CIS) countries, was acting head of the delegation of the Tajik opposition. During the talks, the Special Envoy of the Secretary-General, Ambassador R. Piriz-Ballon acted as intermediary.

The talks were business-like and frank. The two parties demonstrated a sincere desire to resolve the questions on the agenda for the talks in a constructive spirit.

In accordance with the agenda for inter-Tajik talks that was adopted during the first round in Moscow from 5 to 14 April 1994 and the agreements reached in the course of consultations in Tehran between the Secretary-General's Special Envoy for Tajikistan, Ambassador R. Piriz-Ballon, and leaders of the Tajik opposition as well as the talks between the Under-Secretary-General for Political Affairs, Mr. M. Goulding, and leaders of the Government of the Republic of Tajikistan in Dushanbe in May 1994, agreement was reached on the need to focus attention during the second round of talks on achieving an agreement on a cease-fire and cessation of other hostile acts.

The participants in the talks, through the mediation of the Secretary-General's Special Envoy, carried out extensive and fruitful work in order to solve one of the most complex problems relating to the settlement of the Tajik conflict. The parties worked out and agreed on the terms of the cease-fire and the cessation of other hostile acts, which include:

(a) Cessation by the parties of all military actions, including any infringement of the Tajik-Afghan frontier, offensive operations inside the country, the shelling of adjacent territory, the conduct of any military exercises, or the redeployment of regular or irregular military units in Tajikistan and Afghanistan which may lead to the breakdown of this agreement;

Note:

In this connection, the procedure for the stationing, redeployment and other types of activities of Russian troops and the Collective Peace-keeping Forces of the CIS countries in Tajikistan which are in

accordance with agreements on the role of those forces will be defined within the framework of the mechanism for implementing this agreement.

(b) Cessation by the parties of terrorist and subversive acts on the Tajik-Afghan frontier, inside the Republic and in other countries;

(c) Prevention by the parties of killings, hostage-taking, unlawful arrest and detention, and plundering of the civilian population and servicemen in the Republic and other countries;

(d) Prevention of the blockading of inhabited areas, industrial and military sites as well as any communication facilities;

(e) Halting of the use of any communication facilities or mass media in order to undermine the process of national reconciliation;

(f) Refraining from using religion and the religious feelings of believers or any ideology for hostile purposes.

The parties also reached agreement on the time-frame covered by the agreement (the period of talks up to 1 October 1994); and questions relating to the establishment of a comprehensive monitoring mechanism for the temporary cease-fire and cessation of other hostile acts were also considered.

At the same time, differences in the approach by the parties with regard to the procedure for the entry into force of the agreement arose during the talks. The delegation of the Government of the Republic of Tajikistan insisted on the need for a cease-fire and cessation of other hostile acts immediately after the signing of the agreement and undertook the obligation to fulfil the conditions put forward by the delegation of the opposition during the period of the cease-fire and cessation of other hostile acts. The delegation of the Tajik opposition in turn insisted on the need for the simultaneous entry into force of the agreement on the cease-fire and cessation of other hostile acts and fulfilment by the Government of the Republic of Tajikistan of the conditions put forward by it: at the same time as the release of persons that were detained, arrested or sentenced; dismissal of all criminal cases initiated in connection with political confrontation and the civil war; lifting of the ban on activities by political parties and movements; and resumption of activities by the mass media.

In spite of the good will and flexibility displayed by the two parties and certain reciprocal steps taken, they were unable to reach consensus on the agreement, the text of which was practically agreed.

Realizing their responsibility for the fate of the people of Tajikistan, the parties reaffirmed their commitment to political dialogue as the sole means of achieving national reconciliation. In that connection, on the basis of the earlier agreed principle of rotation of the venue for the talks, the parties agreed to hold the next round in Islamabad and request the Secretary-General's Special Envoy to hold consultations in order to determine the dates for the third round of talks.

The parties expressed their profound gratitude to the Government of the Islamic Republic of Iran for the hospitality, help and assistance that it provided in organizing and holding the second round of talks in Tehran.

The parties also expressed their appreciation to the Secretary-General and his Special Envoy, Mr. R. Piriz-Ballon, as well as the representatives of the observer States and CSCE at the talks for their help and assistance in organizing and holding the inter-Tajik talks on national reconciliation.

(Signed) S. Zukhurov
Head of the delegation of the
Republic of Tajikistan

(Signed) O. Latifi
Acting Head of the delegation
of the Tajik Opposition

(Signed) R. Piriz-Ballon
Special Envoy of the Secretary-General
of the United Nations